

1  
2 BILL NO. Z-77-08-

15<sup>th</sup> (amended)

3 ZONING MAP ORDINANCE NO. Z- 30-77

4 AN ORDINANCE amending the City of  
5 Fort Wayne Zoning Map No. EE2.

6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
7 FORT WAYNE, INDIANA:

8 SECTION 1. That the area described as follows is  
9 hereby designated and ~~and~~ <sup>B1B</sup> District under the terms of Chapter 36,  
10 Municipal Code of the City of Fort Wayne, Indiana, 1946, as  
11 amended by General Ordinance No. 2836 and amendments thereof;  
12 and the symbols of the City of Fort Wayne Zoning Map No. EE2,  
13 referred to therein, established by Section 9, Article III  
14 of said Chapter as amended, are hereby changed accordingly,  
15 to-wit:

16 Three lots, southeast corner Fillmore  
17 and Middle Street, Lots #48, 49, 58,  
Interurban Acres, Plat Book #3, page 75.

18 SECTION 2. This Ordinance shall be in full force  
19 and effect from and after its passage, approval by the Mayor  
20 and legal publication thereof.

21 *Vivian A. Schmidt*  
22 Councilman

23  
24  
25  
26  
27 PERFECT TO A "B1B"  
28  
29  
30  
31  
32

33 APPROVED AS TO FORM  
34 AND LEGALITY,

35 *[Signature]*  
CITY ATTORNEY

Read the first time in full and on motion by V. Schmidt, seconded by Stew, and duly adopted, read the second time by title and referred to the Committee on Regulation (and the City Plan Commission for recommendation) and Public Hearing ~~to be held after due legal notice~~, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 8-9-77 Charles W. Fitchman  
CITY CLERK

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage.

PASSED (~~LOSS~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>1</u>			
<u>BURNS</u>	<u>✓</u>				
<u>HINGA</u>	<u>✓</u>				
<u>HUNTER</u>	<u>✓</u>				
<u>MOSES</u>	<u>✓</u>				
<u>NUCKOLS</u>	<u>✓</u>				
<u>SCHMIDT, D.</u>	<u>✓</u>				
<u>SCHMIDT, V.</u>	<u>✓</u>				
<u>STIER</u>		<u>✓</u>			
<u>TALARICO</u>	<u>✓</u>				

DATE: 11-8-77 Charles W. Fitchman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. 3-30-77 on the 8th day of November, 1977  
ATTEST: (SEAL)

Charles W. Fitchman CITY CLERK John Nuckols PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of November, 1977 at the hour of 11:45 o'clock A M., E.S.T.

Charles W. Fitchman  
CITY CLERK

Approved and signed by me this 17th day of November, 1977 at the hour of 4:45 o'clock P. M., E.S.T.

Robert Armstrong  
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 9, 1977 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-08-15; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

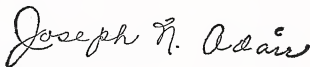
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 19, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance BE PERFECTED TO A "B1B" and DO PASS, for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 24, 1977.

Certified and signed this  
26th day of October, 1977.



---

Joseph N. Adair  
Secretary

*Held until  
later date -*

Bill No. Z-77-08-15

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending the City of Fort Wayne Zoning Map No. EE2

*(Empty lined area for committee report)*

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do not PASS.

- VIVIAN G. SCHMIDT - CHAIRMAN
- WINFIELD C. MOSES, JR. - VICE CHAIRMAN
- WILLIAM T. HINGA
- DONALD SCHMIDT
- SAMUEL J. TALARICO

*(Crossed out signatures)*  
~~Vivian G. Schmidt~~  
~~Winfield C. Moses, Jr.~~  
~~William T. Hinga~~  
~~Donald Schmidt~~  
~~Samuel J. Talarico~~

Bill No. Z-77-08-15 (as amended)

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending the City of Fort Wayne Zoning Map No. EE2

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance do PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

WINFIELD C. MOSES, JR. - VICE CHAIRMAN

WILLIAM T. HINGA

DONALD SCHMIDT

SAMUEL J. TALARICO

*Vivian G. Schmidt*  
*Winfield C. Moses, Jr.*  
*William T. Hinga*  
*Donald Schmidt*  
*Samuel J. Talarico*

11-8-77 CONCURRED IN  
DATE 11-8-77 CHARLES W. WESTERMAN, CITY CLERK

**RECEIPT**

Date

July 29 1927

No.

10015

Received From

Peterink Sales

Address

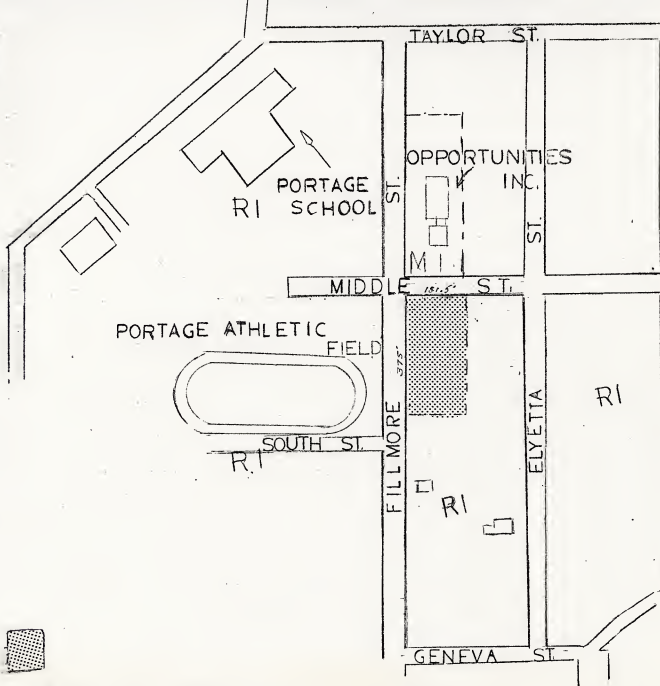
3516 Denwood

For

34 by dollars and 00 Cents \$50.00  
 Payment of SE corner of Denwood St.

ACCOUNT			HOW PAID			By
AMT. OF ACCOUNT	50 00		CASH			
AMT. PAID	50 00		CHECK	656		
BALANCE DUE			MONEY ORDER			

PDI



REZONE FROM RI TO MH

B1B

MAP NO. EE 2

BY M.F.C.

8-1-77

N

2-77-08-15

Date Filed \_\_\_\_\_  
 Intended Use Display Room, Warehouse,  
Light Industry  
Same as Opportunities, Inc.,  
adjacent building across the street

I/We Paul J. and Rose Mary Peterink  
 (Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of  
 Fort Wayne, Indiana, by reclassifying from a/an R-1 District  
 to a/an M-1 District the property described as follows:

Three lots, southeast corner Fillmore and Middle Street

Lots #48, 49, 58, Interurban Acres

Plat Book #3, page 75

(LOTS ARE ADJACENT TO OPPORTUNITIES, INC., ZONED M-1)

(Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one  
 percentum (51%) or more of the property described in this petition.

Paul J. Peterink 5810 Fernwood, Fort Wayne, Ind. 46809

Rose Mary Peterink, 5810 Fernwood, Fort Wayne, Ind. 46809

(Name) (Address & Zip Code) (Signature)  
 (If additional space is needed, use reverse side)

Legal Description checked by \_\_\_\_\_

#### NOTE FOLLOWING RULES

All requests for continuances or requests that ordinances be taken under  
 advisement shall be filed, in writing, in the office of Community  
 Development and Planning, by noon on the Wednesday preceding the meeting  
 of the City Plan Commission at which the ordinance is to be considered.  
 If the request for a continuance or advisement is filed within the required  
 time, the matter will not be put on the agenda for the meeting. It  
 shall be the obligation of the petitioner to notify the same property  
 owners which the Plan Commission had notified by mail that the hearing  
 has been postponed or rescheduled and inform them of the time and place  
 of the meeting at which the ordinance will be considered. All withdrawals  
 of the ordinances must be made in writing prior to the Plan Commission's  
 vote on the ordinance. (FILING FEE: \$50.00)

Name and address of the preparer, attorney or agent.

Paul J. and Rose Mary Peterink, 5810 Fernwood Dr., Fort Wayne, Ind. 46809 747 3683  
 (Name) (Address & Zip code) (Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning and  
 Zoning (CITY PLAN COMMISSION) / Room # 830, City-County Building, One  
 Main Street / Fort Wayne, Indiana 46802 (Phone: 423-7571)

Applicants, Property owners and preparer shall be notified of the Public  
 Hearing approximately ten (10) days prior to the meeting.



Legal Description of property to be rezoning  
Lots #43, 49, 58, Interurban Acres, Fort Wayne, Indiana

Owners of Property

Paul J. Peterink, 5810 Fernwood Dr., Fort Wayne, Ind. 46809

Rose Mary Peterink, 5810 Fernwood Dr., Fort Wayne, Ind. 46809

(Name)

(Address & Zip Code)

(Signature)

**BUILDINGS CURRENTLY ON PROPERTY: CEMENT BLOCK BUILDING AND GARAGE**

Cement block building, 24 x 32 and garage, 20 x 20, were used by previous owners for five (5) years as automotive and truck body, paint and repair shop.

**INTENDED USE FOR NEW BUILDING: 1. Display Room for Tools and Machinery**

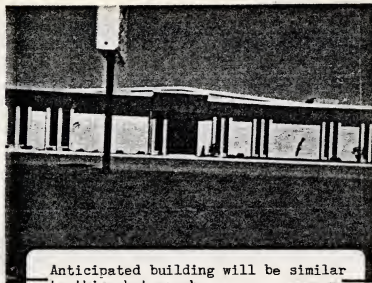
2. Storage or Warehouse for Tools and Machinery

3. Light Industry: a. assembly of Tools and Machinery

b. maintenance and repair of Tools and machinery

c. Manufacture of component parts for automation of Tools and Machinery

**ANTICIPATED SIZE:** approx. 50 x 100 cement block or steel construction, brick or stone front, landscape terraced with trees and shrubs, similare to enclosed photograph.



Anticipated building will be similar to this photograph



Present buildings now on property previously used as repair shop

BILL NO Z-77-08-15

24 Oct 77

CITY PLAN COMMISSION  
FORT WAYNE, INDIANA

LADIES AND GENTLEMEN:

THANK YOU FOR REVIEWING OUR PETITION FOR REZONING OUR PROPERTY, LOTS # 48, 49 and 58, Interurban Acres Addition, generally located on the southeast corner of Middle Street and Fillmore Street. (Frontage on Fillmore is 375 feet).

The building across the street, Opportunities, Inc., is zoned M 1, and that was the reason we requested the same zoning. However, our intended use would be a building for our office, showroom and light assembly and all that is necessary is rezoning for this purpose. One staff member suggested that B3B would be adequate. Noise would be minimal, traffic would be increased only very slightly. We are requesting only a rezoning change which would permit us to build.

FOR YOUR CONSIDERATION:

The property is located across the street from Portage Junior High School track field and on Thursday, October 20, 11 children crossed the tract to get to their homes. On Friday, October 12, 12 children crossed the tract when school let out. The life of every child is very precious and we do not believe that any increased traffic because of our business would endanger the children's lives.

The neighbors across the street do not object to our request for rezoning, and the other neighbor across the street brought over a letter Saturday stating that he did not object and that we had much improved the property values. (He told us he had signed a remonstrance because he had been told that we intended to build a factory such as Opportunities across the street.

Other neighbors have told us that they would not have opposed the zoning had they known the type of building we intended to build. (We realize that we should have gone to the neighbors and explained to them that we were requesting rezoning). We did not expect to build a noisy factory and keep machinery, etc. in the yard, as was previously done when this same property was used for a coal yard, a construction yard with all equipment outside, and recently, for the past five years, the building has been used as an automotive and truck body, paint and repair shop.

We believe that our building will increase the value of property in the neighborhood, and that we will be good neighbors to the residents living nearby.

We appreciate this opportunity to be present for a review of our petition.

Paul J. and Rose Mary Peterink,  
5810 Fernwood Drive  
Fort Wayne, Indiana 46809

*Paul J. Peterink*  
*Rose Mary Peterink*

10-22-77

Dear Paul & Rose Peterink

We do not have any  
exception to an office or  
light assembly building

Dorothy Elliot  
Russell Elliot

Tuesday, November 8, 1977

Members of the City Council:

The purpose of this letter is to make you aware of the feelings of a great many people in our neighborhood concerning the rezoning of the three lots on the corner of Fillmore St. and Middle St. At the time of this meeting there is much confusion among the people of our neighborhood. Numerous phone calls have been made to determine how this land has been put up for rezoning so soon after being turned down. The City Plan Commission said that there is a one year waiting period to refile, but that on someone's advisement, a lesser zoning had been agreed upon without another formal meeting. If there was no meeting, why did an article in the Fort Wayne Journal-Gazette on Tuesday, October 25 state that opposition faded when the request for rezoning was changed to B1B? No one who signed the petition against the first attempt to rezone was ever notified of a second attempt. The only reason opposition faded was no one was aware of another meeting. No one we've talked to could give us a satisfactory explanation of how or why things were done this way.

After the City Plan Commission okayed a B1B zone, the owners of the land paid a visit to each resident explaining their intentions. This too caused a state of

confusion. Many people drew different conclusions as to what the intended business would be. While gathering information we learned that some thought tools were being made and sold. Others were told heavy machinery would be stored and sold. Upon telephoning the City Plan Commission we were told that the business would be for the display and selling of machinery, but that no warehousing would be allowed under a B1B zone. There just seem to be too many discrepancies.

The only thing our neighborhood is sure of is that we don't want any businesses in our residential district. We feel that our neighborhood is on the way up. People seem to be more concerned about improving the neighborhood. We even have construction of a new house going on right now.

It is true that there is an M1 zone across from this land. But again we learned from the City Plan Commission that this land, occupied by Opportunities Inc., is considered a school for the handicapped. Therefore, this is the only land not zoned residential, and we would like to keep it that way. We in no way feel that a business, no matter how nice it is, would improve our neighborhood. The only thing one business would do is make it easier for more businesses to enter our neighborhood. Each successive business provides an excuse to bring in more businesses.

Along with a business comes problems. One of these is traffic. We were told by the owners that their business did not call for a lot of traffic. But think a minute! If heavy machinery is involved, that means trucks to transport them. Trucks can be a serious threat to small children who are not accustomed to having that kind of traffic in the neighborhood. There is also a consideration for the streets. At this time we do not have paved streets. Any heavy traffic is bound to cause extensive damage.

Another problem with a business is the presence of strangers. Many undesirable people could use a business as an excuse for being in the area. Children are sometimes too innocent when it comes to such things as strangers, and are easily hurt. We must try to protect our children from these dangers.

Since this land is located across from Portage Junior High School's athletic track, we contacted the school and talked to Mr. Stultz, the assistant principal. He told us to call the Director of Buildings and Grounds for Fort Wayne Community Schools, and we talked to a Mr. Gillie. He was very surprised that he had not been notified of an attempted rezoning near school property, which is usual procedure. He could only offer sympathy to our cause without a vote from the school board which will meet next week.



All in all we feel we have a very good case against  
allowing industry in our neighborhood. You as members  
of the City Council are our last resort in an effort to  
save our neighborhood for residential use.

Sincerely yours,

Concerned Neighbors

~~Mark J. Dutt~~ 2206 Elyetta  
Christine A. Buckstott 2206 Elyetta

Jacklyn S. Bolinger 2208 Elyetta  
Evelyn Dahman 3340 Middle St.  
Blanche L. Lutz 2212 Elyetta St.  
Lester J. Dahman 3340 Middle St.

Jack Worchuff 2215 Elyetta St.  
Kiona Woodruff 2215 Elyetta St.

Jack Worchuff 2210 Elyetta St.  
Nancy A. Worchuff 2210 Elyetta St.

Barbara Dahman 3315 Middle St.  
John S. Dahman 3315 Middle St.

Audie H. McCray 2040 Elyetta St.

Katharine McCray 2040 Elyetta St.

Donald J. Link 2325 Elyetta St.

Debra J. Elwood 2222 Elyetta St.

Virgil A. Garner 2428 Elyetta St.

Mary Mells 2430 Elyetta St.

Ellen Helmer 2337 Elyetta St.

Bonita Fairchild 2305 Elyetta St.

Mathias Link 3402 Elyetta St.

Milton M. Ray 3429 Taylor St.

Michael S. Cellwell 2102 Fillmore St.

Eleanore Campbell 2422 Elyetta St.

Steven C. Cashwell 2422 Elyetta St.

Gerline N. Garner 2428 Elyetta St.

Linda D. Underwood 2401 Elyetta St.

Woodrow M. Underwood, Jr. 2401 Elyetta St.

Dr. Walker 2330 Elyetta St.

Jan Adams 5104 Illinois Rd. { my children walk  
to the babysitters  
from school }

Starr O. Rebout, 2225 Elyetta

Harold E. Rebout, 2225 Elyetta

Kate Helmer 2337 Elyetta Street

James H. Elwood, Jr. 2222 Elyetta St.

Linnett G. Roberts 2216 Elyetta St.

Bonnie K. Roberts 2216 Elyetta St.

Smith S. (Dahman) Wigge 2032 Henrietta St.

Julianne Fink 2402 Elyetta St.



7 November, 1977  
5810 Fernwood Drive,  
Fort Wayne, In. 46809

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, In. 46802

Ref. Bill No. 2-77-8-15  
Lots #48, 49, 58 Interurban Add., Corner Fillmore  
& Middle, next door to OPPORTUNITIES, INC. zoned M1  
375 ft. frontage on Fillmore-181.5 ft. deep

Dear Council Members,

In response to a request for the chronological sequence of this matter, the following information is submitted.

1. 6 June, 1977 purchased property
2. 19 September, 1977. City Plan Commission Public Hearing.  
Remonstrance was presented by gentleman who stated neighbors were opposed to M1 zoning. (Originally M1 was requested because Opportunities, Inc., across the street, is zoned M1.) Mr. Peterink replied he was surprised at the objection by the neighbor who had originated and presented petition because when he had been informed by the Peterinks that they had purchased this property, he had stated he was sorry he had not known this property was for sale because he would have liked to purchase it for himself for a car-repair shop. (The previous owner had used the existing building for this purpose for five years.)
3. 24 October, 1977 City Plan Commission reviewed Bill No. 2-77-8-15, recommended PERFECT TO A "BIB" and "DO PASS".  
(Commission Members stated M1 zoning was a little much for this area; we asked planning commission staff member if property rezoning request could be down graded for a zoning that would be adequate for our needs.) It was agreed.

Also, it was stated this property is in the fringe area of the Flood Plane and the Department of Natural Resources prefers business to residential for property in this area category. There are condemned properties in this area.

Intended use: Construction of a new building to be used for a display room for tools and machinery, and assembly thereof.

4. 29 October, 1977. Mrs. Peterink went to homes of all property owners who had opposed M1 zoning. She showed them a letter from the City Plan Commission which had recommended B1B, showed them a picture of the building the Peterinks hoped to construct, and told them she sorry she had not contacted them earlier to advise them of the plans for their newly purchased property. Not one property owner contacted voiced any objection.

Mrs. Peterink talked to the man who had originated the petition, and discussed the B1B zoning and after discussing the type of building we hoped to construct, he stated he would do nothing to stop us in our rezoning effort.

5. 2 November, 1977 City Council Recommended a "DO PASS" OUT OF COMMITTEE.
6. 5 November. Mrs. Peterink received a call from a member of the City Council. He stated he had received a call from the originator of the remonstrance who stated he had not known about the B1B rezoning until Wednesday, 3 November. Mrs. Peterink replied she had shown him the letter from the planning commission on the previous Saturday, 29 October, and that there was a neighbor present.

7. 7 November, 1977.

I visited Lindley School. I was told by Mr. Frank Werling, Principal, that he had written letters to several city councilmen critical of the rezoning of our property. He said he had been misinformed as to the purpose of the property and that he was retracting his opposition. He said he hoped he had not caused us any problems with city council and he apologized for sending the letters. (Hopefully his message will be conveyed to all persons who may have read his letter.)

We plan to be present at the City Council meeting and will be pleased to answer any questions. Thank you.

Sincerely,

*Paul J. Peterink*  
Paul J. Peterink

*Rose Mary Peterink*  
Rose Mary Peterink

cc: City Council Members

P.S.

Monday evening, 8 P.M. 7 November

We have just returned home from our Fillmore Street Property, and learned that the persons who are unhappy with the committee's "do Pass" recommendation are endeavoring to get the support of the PTA, Tuesday P.M., which they hope to bring to council to stop passage.

(WITH ALL THE STORIES THAT HAVE BEEN CIRCULATED ABOUT THE USES AND PURPOSES OF OUR PROPERTY AND THE EFFECTS ON THE NEIGHBORHOOD, IT IS DIFFICULT TO COPE WITH THIS SITUATION.

*Thursday - 8 Nov. 77*

*I visited Mrs. Janet Hane, President of Lindley PTA this afternoon. She stated there will be no opposition to our rezoning.*

DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment Ordinance

3-77-08-15

DEPARTMENT REQUESTING ORDINANCE \_\_\_\_\_

CITY PLAN COMMISSION

SYNOPSIS OF ORDINANCE \_\_\_\_\_  
Petitioners are requesting the rezoning  
of the following described property;

Lots # 48, 49 and 58 in Interurban Acres Addition, generally located on the

Southeast corner of Middle Street and Fillmore St.,

From "R1" to "M1"

EFFECT OF PASSAGE \_\_\_\_\_  
Property is presently zoned "R1" - Single Family  
Residential. Petitioners are requesting an "M1" District - Light Industrial

EFFECT OF NON-PASSAGE \_\_\_\_\_  
Property would remain "R1"

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_  
none

ASSIGNED TO COMMITTEE (J.N.) \_\_\_\_\_



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

November 21, 1977

Ms. Virginia Grace  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, Indiana 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of November 25, 1977, and December 2, 1977, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, Indiana

Bill No. Z-77-08-15 (AS AMENDED)  
Zoning Map Ordinance No. Z-30-77

Please send us five (5) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Charles W. Westerman  
City Clerk

CWW/ne  
ENCL: 1



## Common Council of Fort Wayne

(Governmental Unit)

Allen

County, Ind.

To THE NEWS-SENTINEL

Dr.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

6

Body number of lines

81

Tail number of lines

2

Total number of lines in notice

89

## COMPUTATION OF CHARGES

89 lines, 1 columns wide equals 89 equivalent lines at \$259.4 cents per line \$23.05

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

1.50

Charge for extra proofs of publication (50 cents for each proof in excess of two)

24.55

TOTAL AMOUNT OF CLAIM

## PUTTING COST

9.9

Number of single column items

Size of type 5 1/2 point

Number of insertions

Size of quad upon which type is cast 5 1/2

provision and penalties of Ch. 89, Acts 1967,

that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just no part of the same has been paid.

EX 2 18 77

Title CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK of the

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 2, the dates of publication being as follows: 11/25 & 12/2/77

Subscribed and sworn to before me this 2nd day of December 1977  
My commission expires September 28, 1979

ZONING MAP ORDINANCE NO. 2-30-77  
AN ORDINANCE AMENDING THE CITY OF FORT WAYNE ZONING MAP NO. E-2.

BILL NO. 2-77-48-15 (AS AMENDED)  
Notice is hereby given that on the 8th day of November 1977, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. 2-77-48-15 (As Amended), 2-30-77 Zoning Map Ordinance, to-wit:

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:  
SECTION 1. That the area described as follows is hereby designated as B1B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. E-2 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Three lots, southeast corner Fillmore and Middle Street, Lot 48, 49, 50, Interurban Acres, Plat Book 3, page 15.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight—Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico

Nays: One—Slier

Dates: 11-8-77

Charles W. Westerman  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. 2-30-77 on the 8th day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman  
City Clerk  
John Nuckols  
Presiding Officer

Presented by me to this Mayor of the City of Fort Wayne, Indiana, on the 9th day of November, 1977, at the hour of 11:45 o'clock A.M., E. E. Ford

Charles W. Westerman  
City Clerk

Approved and signed by me this 17th day of November, 1977, at the hour of 4:45 o'clock P.M., E. S. T.

Robert E. Armstrong  
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. 2-30-77 passed by the Common Council, on the 8th day of November, 1977, and that said Ordinance was duly signed and approved by the Mayor on the 17th day of November, 1977 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 17th day of November, 1977.  
Charles W. Westerman  
City Clerk

## Common Council of Fort Wayne

(Governmental Unit)

Allen

County, Ind.

To THE NEWS-SENTINEL

Dr.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

6

Body number of lines

81

Tail number of lines

2

Total number of lines in notice

89

## COMPUTATION OF CHARGES

89

1

lines, columns wide equals

89

equivalent lines at

.2594

\$ 23.05

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 24.55

## DATA FOR COMPUTING COST

9.9

Width of single column 11 ems

Size of type 5 1/2 point

2

Number of insertions

Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date December 2, 1977

Title CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana }  
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 2, the dates of publication being as follows:

11/25 &amp; 12/2/77

Subscribed and sworn to before me this 2nd day of December 1977

My commission expires September 28, 1979

Notary Public

EACH COPY OF  
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Common Council of Fort Wayne  
(Governmental Unit)To JOURNAL-GAZETTE Dr.Allen County, Ind.FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	<u>89</u>
Head	number of lines	<u>6</u>
Body	number of lines	<u>81</u>
Tail	number of lines	<u>2</u>
Total number of lines in notice		<u>89</u>

## COMPUTATION OF CHARGES

89 lines, 1 columns wide equals 89 equivalent lines at 25¢ cents per line \$ 22.05

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

## TOTAL AMOUNT OF CLAIM

## PUTTING COST

Number of single column 9.9 Size of type 5 1/2 point  
Number of insertions 2 Size of quad upon which type is cast 5 1/2

provision and penalties of Ch. 89, Acts 1967,

that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just no part of the same has been paid.

Nov. 2, 1977

Arvilla D. DeWald  
Title CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana }  
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE  
a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 8, the dates of publication being as follows:

11/25 & 12/2/77

Subscribed and sworn to before me this 2nd day of December 1977  
Arvilla D. DeWald  
Notary Public

My commission expires September 28, 1979

## ZONING MAP ORDINANCE

NO. 2-30-77

## AN ORDINANCE AMENDING THE

CITY OF FORT WAYNE

ZONING MAP NO. EEZ,

BILL NO. 2-77-98-15 (AS AMENDED).

Notice is hereby given that on the

8th day of November, 1977, the Com-

mon Council of the City of Fort

Wayne, Indiana, in a Regular Session

did pass the following Bill No. 2-77-

08-15 (As Amended), Z-30-77 Zon-

ing Map Ordinance, to-wit:

BE IT ORDAINED BY THE COM-

MON COUNCIL OF THE CITY OF

FORT WAYNE, INDIANA:

SECTION 1. That the area de-

scribed as follows is hereby desig-

nated an B1B District under the

terms of Chapter 36, Municipal Code

of the City of Fort Wayne, Indiana,

1946, as amended by General Ordina-

nance No. 2036 and amendments

thereof; and the symbols of the City

of Fort Wayne Zoning Map No. EEZ,

referred to therein, established by

Section 9, Article III of said Chapter

as amended, are hereby changed ac-

cordingly, to-wit:

Three lots, southeast corner

Fillmore and Middle Street, Lot 46,

49, 58, Interurban Acres, Plat Book 3,

page 15.

SECTION 2. This Ordinance shall

be in full force and effect from and

after its passage, approval by the

Mayor and legal publication thereof.

Vivian G. Schmidt

Circuit Clerk

Read the third time in full and on

motion by V. Schmidt, seconded by

Hinga, and duly adopted, placed on

its passage. PASSED by the following

votes:

Ayes: Eight: Burns, Hinga, Hunter,

Moses, Nuckolls, D.

Schmidt, V. Schmidt, Talarico

Nays: One: Slier

Dales: 11-8-77

Charles W. Westerman

City Clerk

Passed and adopted by the Com-

mon Council of the City of Fort

Wayne, Indiana, at Zoning Map Ordina-

nance No. 2-30-77 on the 8th day of

November, 1977.

ATTEST: (SEAL)

Charles W. Westerman

City Clerk

Presented by me to the Mayor of

the City of Fort Wayne, Indiana, on

the 9th day of November, 1977, at the

hour of 11:45 o'clock A.M., E.S.T.

Charles W. Westerman

City Clerk

Approved and signed by me this

17th day of November, 1977, at the

hour of 4:45 o'clock P.M., E.S.T.

Robert E. Armstrong

Mayor

I, Charles W. Westerman, Clerk of

the City of Fort Wayne, Indiana, do

hereby certify that the above and

foregoing is a full, true and complete

copy of Zoning Map Ordinance No. 2-

30-77 passed by the Common Council

on the 8th day of November, 1977,

and that said Ordinance was duly

signed and approved by the Mayor on

the 17th day of November, 1977 and

now remains on file and on record

in my office.

WITNESS my hand, and the official

seal of the City of Fort Wayne, Indi-

ana, this 17th day of November, 1977.

Charles W. Westerman

City Clerk

Common Council of Fort Wayne  
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

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--- number of equivalent lines \_\_\_\_\_

Head number of lines \_\_\_\_\_ 6

Body number of lines \_\_\_\_\_ 81

Tail number of lines \_\_\_\_\_ 2

Total number of lines in notice \_\_\_\_\_ 89

## COMPUTATION OF CHARGES

89 lines, 1 columns wide equals 89 equivalent lines at \$259.4 cents per line \$ 23.05

Additional charge for notices containing rule or tabular work (50 per cent of above amount) \_\_\_\_\_

Charge for extra proofs of publication (50 cents for each proof in excess of two) \_\_\_\_\_ 1.50

TOTAL AMOUNT OF CLAIM \$ 24.55

## DATA FOR COMPUTING COST

Width of single column 11 ems 9.9 Size of type 5 1/2 point

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Notary Public

My commission expires September 28, 1979

STANDARD  
ROYAL  
PLAYER  
STEREO  
PHILCO  
CALCUL  
DIGITAL  
NORLEC  
CASSETTE  
GIBSON  
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